IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE V.ESWARAIAH

Writ Petition No.8973 of 2006

DATED 8-3-2007

BETWEEN

Ch.Ravinder Rao.

.. Petitioner

And

The State of Andhra Pradesh rep by its Secretary of government, Legislative Affairs and Justice law(L.A and J-courts-A) Secretariat, Hyderabad and others.

.. Respondents

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.8973 of 2006

ORDER:

This writ petition is filed seeking to declare the action of the District Collector, Ranga Reddy in calling for fresh panels for appointment to the post of Public Prosecutor for the Court of Metropolitan Sessions Judge, Cyberabad during the pendency of the earlier panel sent by him vide letter No.C1/4161/2005 dated 11.11.2005 as illegal and arbitrary.

Learned counsel for the petitioner submits that the District Collector has no power or authority to send second panel vide letter dated 9.6.2006 when the first panel sent by him is pending

consideration.

A counter affidavit is filed by the 1st respondent stating that a panel of advocates was sent for the appointment to the post of Public Prosecutor/Additional Public Prosecutors for the various courts of Ranga Reddy District and as per Rule 5(4) of the Law Officers Rules issued in G.O.Ms.No.187 Law Department dated 6.12.2000, the Government is empowered to call for a fresh panel. It is also stated that the earlier panels received by the Government were neither rejected nor fresh panels were called for. The District Collector, without there being any requisition by the Government, unfortunately sent another panel including the name of the 8th respondent herein, whose name has already figured in the earlier panel sent by the 3rd respondent vide letter dated 11.11.12005 for the Court of V Additional District and Sessions Judge Court (Fast Track) Ranga Reddy, which holds good and that the Government is not at all considering the fresh panel sent by the District Collector vide letter dated 9.6.2006.

In view of the averments made in the counter affidavit, I am of the considered opinion that no further orders are required to be passed in this writ petition. However, the Government is directed to consider the panel of names sent by the District Collector vide letter dated 11.11.2005 and take appropriate decision to appoint Public Prosecutors/Additional Public Prosecutors in accordance with law without any further delay, within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

V.ESWARAIAH,J

Dt.8.3.2007
msv